

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WESTERN HERITAGE INSURANCE
COMPANY,

Plaintiff,

v.

MARGO LINDSAY, as Personal
Representative of THE ESTATE OF
NICHOLAS LINDSAY, deceased; and
ANNETTA GREER, as Personal
Representative of THE ESTATE OF
ANTAUN GREER, deceased,

Defendants.

NO. 2:17-cv-01795-RSL

JOINT STIPULATED MOTION AND
~~PROPOSED~~ ORDER EXTENDING
DISCOVERY DEADLINES AND TRIAL
DATE

NOTE ON MOTION CALENDAR: February
26, 2019

CLERK'S ACTION REQUIRED

Pursuant to FRCP 16(b)(4) and LCR 16(b)(5), undersigned counsel for Plaintiff Western Heritage Insurance Company ("WHIC") and Defendants Margo Lindsay and Annetta Greer (collectively "the Estates"), hereby stipulate and agree, subject to the Court's approval, to extend by approximately six months the deadlines for all remaining discovery- and trial-related dates as set forth in the Court's November 7, 2018 Amended Order Setting Trial Date & Related Dates. See Dkt. No. 30. This joint stipulated motion is made in the interests of preserving judicial resources and avoiding unnecessary discovery and expense for the Parties.

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JOINT STIPULATED MOTION AND ~~PROPOSED~~ ORDER
EXTENDING DISCOVERY DEADLINES AND TRIAL DATE - 1
NO. 2:17-cv-01795-RSL

OGDEN MURPHY WALLACE, P.L.L.C.
901 Fifth Avenue, Suite 3500
Seattle, Washington 98164-2008
Tel: 206.447.7000/Fax: 206.447.0215

1 This case involves issues pertaining to both WHIC's duty to defend and the scope of
 2 WHIC's coverage obligations under an insurance policy issued by WHIC to the policyholder-
 3 assignor, and related extracontractual claims under Washington common and statutory law.
 4 Cross-motions filed by the Estates and WHIC are currently pending related to WHIC's duty to
 5 defend and the scope of its indemnity obligation. *See* Dkt. Nos. 33, 37, 39, 42, 43. The Parties
 6 agree that resolution of the pending cross-motions will significantly impact the viability and
 7 outcome of the remaining issues in this action. Further, the Parties wish to minimize
 8 unnecessary discovery and costs, including the use of experts, to the fullest extent possible. The
 9 Parties anticipate that the Court's decision on summary judgment will significantly clarify and
 10 narrow the remaining issues requiring discovery and/or expert witness testimony, and
 11 significantly reduce the issues for trial and/or further dispositive motions.

12 The Parties therefore believe that extending the discovery deadlines and trial date to a
 13 time that allows discovery, including expert disclosures, to occur after the Court issues a decision
 14 on the pending cross-motions will preserve judicial resources and minimize unnecessary
 15 discovery and expenses for the Parties. For these reasons, the Parties seek a six-month extension
 16 of discovery and trial-related deadlines regarding all issues remaining after the pending motions
 17 are decided. Accordingly, the parties stipulate and agree that the trial date should be continued
 18 to **June 1, 2020**, with all other discovery and trial-related dates rescheduled accordingly.

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1 DATED this 26th day of February, 2019.

2 DAVIDSON, KILPATRIC & KRISLOCK,
3 LLC

4 By s/Daniel McLafferty

5 Daniel McLafferty, WSBA #45243
6 520 Kirkland Way, Suite 400
7 P.O. Box 817
8 Kirkland, Washington, 98083
9 Tel: 425.822.2228
10 Fax: 425.827.8725
11 daniel@kirklandlaw.com
12 Attorneys for Defendants

OGDEN MURPHY WALLACE, PLLC

By s/Daniel F. Shickich

Geoff Bridgman, WSBA #25242
Daniel F. Shickich, WSBA #46479
901 Fifth Avenue, Suite 3500
Seattle, Washington 98164-2008
Tel: 206.447.7000
Fax: 206.447.0215
gbridgman@omwlaw.com
dshickich@omwlaw.com
Attorneys for Plaintiff

11 **ORDER**

12 IT IS HEREBY ORDERED that the trial date in the above-captioned matter shall be
13 extended for good cause to June 1, 2020, and all other discovery and trial-related dates
14 rescheduled accordingly. A new Order Setting Trial Date and Related Dates shall be issued.

15 DATED this 27th day of February, 2019.

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18 The Honorable Robert S. Lasnik
19 United States District Judge